

AFFIDAVIT IN SUPPORT OF APPLICATION FOR
A WARRANT TO SEARCH AND SEIZE

I, JOSEPH DONAHUE, Special Agent for the Federal Bureau of Investigation (FBI), being duly sworn, state the following:

1. I have been employed as a Special Agent with the FBI since September 2015 and am currently assigned to the Philadelphia FBI Violent Crime Task Force (VCTF). My current duties include, among other things, the investigation of bank robberies, fugitives, firearms offenses, kidnappings, and in this instance, possession of firearms by prohibited persons (felons previously convicted by a crime punishable by imprisonment for a term exceeding one year) in violation of Title 18, United States Code (USC) § 922(g)(1). Prior to my duties as Special Agent of the FBI, I was a Police Officer in the Town of Northborough, Massachusetts from January 2013 through August 2015.

2. This affidavit is based upon information I have gained from my investigation, my training and experience, as well as information received from others, including law enforcement officers. This affidavit is intended to show only that there is probable cause for the requested warrant, and therefore I have not included every fact known to me concerning this investigation.

3. As set forth below, based on my training and experience and the facts as set forth below, I submit that there is probable cause to believe that NAFIS WOODS possessed a firearm in Philadelphia on October 17, 2019. As a convicted felon who had served more than one year in federal prison, WOODS was prohibited from possessing firearms. His deoxyribonucleic acid (DNA), when compared to swabs taken from firearms seized in this case, may show that WOODS possessed those firearms.

PROBABLE CAUSE

4. On the evening of October 17, 2019, at approximately 7:54 p.m., Officers of the Philadelphia Police Department (PPD) were on active foot patrol in the area of Trenton and Somerset Streets in Philadelphia, PA. Officers heard gunshots being fired east of their location and upon investigation, observed a dark-colored SUV with no rear windshield fleeing northbound in the area of 2800 Tulip Street. The description of the vehicle was broadcast over Police Radio. Those same officers also detained and questioned TITUS BATTIS in that same area and he told officers that he had been robbed at gunpoint by offenders inside the dark-colored SUV, who had taken his phone and money.

5. Additional responding officers in a marked patrol car traveling southbound on Frankford Ave. observed the same dark-colored SUV, bearing PA registration KWT-9970, operating on Frankford Ave. and turning onto the 2000 block of Elkhart Street, a short distance from 2800 Tulip Street. That vehicle matched the description of the suspect vehicle that was broadcast over Police Radio, in particular the rear window was missing as if it had been shot out by a firearm or other projectile. Responding officers effected a traffic stop with emergency lights and sirens and the vehicle pulled over in the area of E. Elkhart Street at Braddock Street. One of the occupants fled the front passenger seat of the vehicle and ran north on E. Elkhart Street. The fleeing individual was later identified as NAFIS WOODS (DOB: June 17, 1978). One of the responding officers chased WOODS. As WOODS was running, the officer heard the sound of metal hitting the ground, consistent with a firearm being thrown to the ground. WOODS then tripped and the officer was able to apprehend WOODS and place him in handcuffs. The area around where WOODS tripped and was apprehended was searched and a Kel Tec .380 caliber pistol, bearing serial number KD116, was recovered from the highway

beneath a vehicle. BETTS was brought to the scene where he told police he could not identify the individual(s) that robbed him. When police called BETTS' phone, a phone inside the SUV rang and it was subsequently identified as BETTS' phone.

6. The SUV from which WOODS fled was operated by ALEXUS LOGAN, who remained in the car while WOODS fled. The vehicle was secured and towed to a secure police lot where it was later searched pursuant to a state search warrant issued by the City of Philadelphia. Among other items, Detectives found an Interarms Star 9mm pistol, bearing serial number 2039799, in the vehicle.

7. A computer search of the Pennsylvania Department of Transportation (PennDOT) system showed the registration, KWT-9970, as belonging to NAFIS WOODS of 2111 Homer St., Philadelphia, PA. During the search of the SUV, detectives also recovered one white envelope containing paperwork with the name, NAFIS WOODS, and an address of 2111 Homer Street.

8. Police conducted a search of the original scene at 2800 Tulip Street and prepared a sketch of the scene. They collected ten fired cartridge casings (FCCs) from the scene. Of the FCCs collected, eight were .40 caliber and grouped in the area of 2809 Tulip Street and two were .380 caliber and grouped outside of 2819 Tulip Street. PPD Firearms Identification Unit (FIU) performed forensic analysis of the FCCs and the submitted pistols seized from WOODS. A PPD forensic scientist concluded that the .380 caliber FCCs recovered from 2800 Tulip Street were fired by the .380 Kel Tec Pistol recovered from the highway at the time of WOODS' arrest.

9. Detectives also used Scanning Electron Microscopy/Dispersive X-Ray (SEM/EDS) swabs to collect samples from NAFIS WOODS' hands for the purpose of conducting gunshot residue tests. Those samples were submitted to the Office of Forensic

Science for analysis and a PPD forensic scientist concluded that there was presence of particles with the chemical composition characteristic of primer gunshot residue on WOODS' right hand.

10. The .380 caliber Kel Tec firearm, bearing serial number KD116, was swabbed for DNA by PPD Detectives and the sample was preserved for later testing.

11. Based on my training and experience, I know that when a person handles a firearm, he may leave trace DNA on the firearm from that contact.

12. WOODS is a previously convicted felon who served more than one year in federal prison for a conviction in September 2001 for armed carjacking, brandishing a firearm during a crime of violence, and possession of a firearm by a convicted felon.

13. On August 24, 2022, a federal grand jury in the Eastern District of Pennsylvania returned an indictment, charging WOODS with one count of being a convicted felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1) in connection with the events of October 17, 2019, as described above. WOODS was arrested and is currently on home detention with GPS monitoring.

CONCLUSION

14. The evidence collected thus far in the investigation described above and summarized below demonstrates there is probable cause that WOODS possessed a firearm, in violation of 18 U.S.C. § 922(g)(1), convicted felon in possession of a firearm.

15. An SUV registered to NAFIS WOODS was observed fleeing the area where PPD Officers heard gunshots and exhibited damage to its rear window consistent with being shot by a projectile. WOODS was arrested, fleeing from that same vehicle moments later and in possession of a .380 Kel Tec firearm. Additionally, a second firearm was found in his vehicle. Ballistics evidence showed that the firearm recovered from the street, after being thrown by

WOODS, had fired bullets minutes before at 2800 Tulip Street and WOODS' hand had residue indicating he had also recently fired a pistol.

16. Based on all of the above, I submit that this affidavit supports probable cause for the issuance of a search and seizure warrant for the person **of** NAFIS WOOD, as described in Attachment A, to obtain oral secretions (epithelial cells) by rubbing cotton swabs against the inner cheek lining of his mouth cavity, in sufficient quantity for scientific examination and comparison for DNA typing and DNA comparison, as described in Attachment B.

/s/ Joseph Donahue

JOSEPH DONAHUE
Special Agent
Federal Bureau of Investigation

Sworn to before me this 20th day
of January 2023

HONORABLE LYNNE A. SITARSKI
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

NAFIS WOODS (aka DARNELL BENNETT), a black male with a date of birth of June 17, 1978.

ATTACHMENT B

Oral secretion (epithelial cells) by rubbing cotton swabs against the inner cheek lining of the person in Attachment A's mouth cavity, in sufficient quantity for scientific examination and comparison for DNA typing and DNA comparison.